

**AMENDMENTS TO THE CLAIMS**

1. (Previously Presented) An article for delivering a drug and a nucleic acid, the article comprising:
  - a nanoparticle forming a micelle, wherein the nanoparticle comprises a polymer having a backbone comprising a polyester;
  - a nucleic acid associated with an exterior of the micelle; and
  - a drug associated with an interior of the micelle.
2. (Cancelled)
3. (Currently Amended) ~~An~~ The article ~~as in~~ of claim 1 wherein the nanoparticle is capable of passing through a cell membrane.
4. (Currently Amended) ~~An~~ The article ~~as in~~ of claim 1 wherein the nucleic acid is DNA.
5. (Currently Amended) ~~An~~ The article ~~as in~~ of claim 1 wherein the drug is a cancer drug.
- 6-7. (Cancelled)
8. (Currently Amended) ~~An~~ The article ~~as in~~ of claim 1 wherein the nanoparticle is stable at a concentration of greater than 5 mg/L.
9. (Currently Amended) ~~An~~ The article ~~as in~~ of claim 1 wherein the nanoparticle is capable of crossing the blood/brain barrier.
10. (Currently Amended) A composition comprising ~~an~~ the article ~~as in~~ of claim 1 and a pharmaceutically acceptable carrier.

11. (Currently Amended) ~~An~~ The article ~~as in of~~ claim 1 wherein the backbone comprises tertiary amines.

12. (Currently Amended) ~~An~~ The article ~~as in of~~ claim 15 wherein the hydrophobic side chain comprises cholesterol.

13. (Currently Amended) ~~An~~ The article ~~as in of~~ claim 11 wherein the ~~polymeric~~ backbone comprises a copolymer of quaternized and non-quaternized tertiary ammonium groups.

14. (Currently Amended) ~~An~~ The article ~~as in of~~ claim 1 wherein the ~~polymeric~~ backbone further comprises an ether linkage.

15. (Currently Amended) ~~An~~ The article ~~as in of~~ claim 11 wherein at least a portion of the tertiary amines are quaternized and bound to a hydrophobic side chain.

16. (Currently Amended) ~~An~~ The article ~~as in of~~ claim 1 wherein the ~~polymeric~~ backbone further comprises a polyether.

17-43. (Cancelled)

44. (Previously Presented) A kit comprising:  
a container including an amphoteric polymeric nanoparticle forming a micelle, wherein the polymeric nanoparticle comprises a polymer having a backbone comprising a polyester;  
a nucleic acid associated with an exterior of the micelle;  
a drug associated with an interior of the micelle; and  
instructions for administering the nanoparticle to a subject.

45-48. (Cancelled)

49. (Currently Amended) ~~An~~ The kit ~~as in~~ of claim 44, wherein the ~~polymer backbone~~ comprises a graft co-polymer.

50. (Currently Amended) ~~An~~ The article ~~as in~~ of claim 1, wherein the ~~polymer backbone~~ comprises an amphiphilic co-polymer.

51. (Currently Amended) ~~An~~ The article ~~as in~~ of claim 50, wherein the amphiphilic co-polymer is a cationic amphiphilic co-polymer.

52. (Currently Amended) ~~An~~ The article ~~as in~~ of claim 1 wherein the drug is not covalently or ionically bound to the nanoparticle.

53. (Currently Amended) ~~An~~ The article ~~as in~~ of claim 1 wherein the drug is physically contained by the nanoparticle.

54. (Currently Amended) ~~An~~ The article ~~as in~~ of claim 1, wherein the ~~polymer backbone~~ comprises a graft co-polymer.